

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:22-cv-00110-MR

ABDULKADIR S. ALI,)
Petitioner,)
vs.) ORDER
EDDIE M. BUFFALOE, JR., Secretary,)
North Carolina Department of Public)
Safety,)
Respondent.)

)

THIS MATTER is before the Court on the Petition for Writ of Habeas Corpus filed on March 15, 2022 pursuant to 28 U.S.C. § 2254 by Petitioner Abdulkadir S. Ali. [Doc. 1].

Abdulkadir S. Ali ("the Petitioner") is a prisoner of the State of North Carolina. The Petitioner is currently serving three consecutive prison sentences of 59 to 83 months, 59 to 83 months, and 23 to 40 months following his August 8, 2014 conviction in the Guilford County Superior Court for attempted robbery with a dangerous weapon, conspiracy to commit robbery with a dangerous weapon, assault with a deadly weapon inflicting serious injury, and first-degree burglary. Ali v. Hooks, 2020 WL 6875140 (M.D.N.C. Nov. 23, 2020)(unpublished).

The Petitioner seeks review of a disciplinary proceeding which occurred on March 4, 2021 at Tabor Correctional Institution, in which the Petitioner received 30 days restrictive housing. [Doc. 1 at. 1]. The Petitioner also seeks the restoration of 40 sentence reduction credits and for this Court to vacate the disciplinary conviction. [Id. at 14].

A claim for credit against a sentence attacks the computation and execution of the sentence rather than the sentence itself and must therefore be brought in the district of confinement rather than the district of the sentencing court. United States v. Miller, 871 F.2d 488, 490 (4th Cir. 1989). See also McBride v. United States, 2019 WL 1992143, *1 (W.D.N.C. May 6, 2019).

Petitioner is presently incarcerated at Albemarle Correctional Institution in New London, North Carolina, which is located in the Middle District of North Carolina.¹ [Doc. 1]. In accordance with 28 U.S.C. § 2241(d) and the joint order of the United States District Courts for the Eastern, Middle and Western Districts of North Carolina (See Joint Order, In re: Applications for Writs of Habeas Corpus (Oct. 26, 1966)), the Court shall transfer this action to the United States District Court for the Middle District of North

¹ It is noted that the jurisdiction of conviction and sentencing (Guilford County) is also in the Middle District of North Carolina.

Carolina. This Court has not conducted an initial review of the petition and makes no observation as to its merits or timeliness.

IT IS, THEREFORE, ORDERED that:

1. This action is transferred to the Middle District of North Carolina for further proceedings, including ruling on any pending motions.
2. The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: April 5, 2022



Martin Reidinger
Chief United States District Judge

